

newly submitted. Accordingly, after entry of this Amendment, claims 3, 5, and 6 are pending in this case. The changes to the claims do not constitute the addition of new matter and full support for the changes may be found in the specification and claims as originally filed. Specifically, support for newly submitted claims 5 and 6 may be found on page 5, lines 31-31 and page 19 lines 4 and 14 of the specification.

Rejection Under 35 U.S.C. §102(b)

The examiner has rejected claims 1-4 under 35 U.S.C. §102(b) as allegedly anticipated by Lind et al. (WO 93/03022). This rejection is respectfully traversed.

It is submitted that the present application is directed towards the use of bromopyridyl-thiourea derivatives for the treatment of multi-drug resistant HIV. Lind does not disclose the use of bromopyridyl-thiourea derivatives for the treatment of multi-drug resistant HIV. Rather, Lind only discloses the treatment of NNI-sensitive strains such as HIV-I.

Additionally, the claims of the present application are directed toward the treatment of multi-drug resistant HIV, not the prevention of multi-drug resistant-HIV. Thus, the fact that the present application is not directed toward such a prophylactic utility differentiates it from *Ex Parte Novitski*.

Furthermore, the Examiner's assertion that Lind's disclosure of prior use for the same utility is anticipatory is respectfully traversed. The utility disclosed in Lind is the treatment of NNI-sensitive strains, i.e. HIV-I, HIV-II and SIV. Lind does not disclose the utility of treating multi-drug resistant HIV. Thus, Lind is not anticipatory as it does not disclose prior use for the same utility as disclosed in the present application.

In view of these amendments and remarks, withdrawal of the rejections under 35 U.S.C. §102(b) is respectfully requested.

Rejection Under 35 U.S.C. §103

The examiner has rejected claims 1-4 under 35 U.S.C. §103 as allegedly obvious in light of Lind et al (WO 93/03022). This rejection is respectfully traversed.

It is submitted that the present application is directed towards the use of bromopyridiyl-thiourea derivatives for the treatment of multi-drug resistant HIV. Lind does not disclose the use of bromopyridiyl-thiourea derivatives for the treatment of multi-drug resistant HIV. Rather, Lind only discloses the treatment of NNI-sensitive strains, i.e. HIV-I, HIV-II and SIV.

Lind offers no suggestion that the compounds taught therein would be useful in the treatment of multi-drug resistant HIV. Additionally, given the unpredictability of the chemical and biological arts, it would not be obvious to one of skill in the art that such compounds could be effective in the treatment of multi-drug resistant HIV. As shown in Table 2 of the present application, the methods of the present invention include compounds with greater activity against multi-drug resistant HIV than those disclosed in Lind et al. Specifically, DDE240, as disclosed in the present application, was three times more potent than troviridine against multi-drug resistant reverse transcriptase.

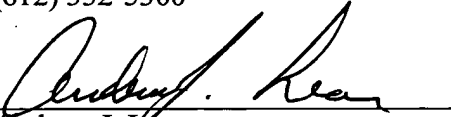
In view of these amendments and remarks, withdrawal of the rejections under 35 U.S.C. §103 is respectfully requested.

It is respectfully submitted that the claims have been put in condition for allowance. Notification to this affect is earnestly solicited. The Examiner is encouraged to contact the Applicants' undersigned attorney to discuss this matter if any questions should arise upon further examination of the pending claims.

Respectfully submitted,

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